



Monitoring Compliance with International Commitments: Women's Status in Latin America

The Inter-American Dialogue

The last two decades have witnessed unprecedented efforts to promote women's rights and well-being throughout Latin America and the Caribbean (LAC). Governments have created agencies on women's issues, changed discriminatory laws, and adopted public policies aimed at furthering equal opportunities in the economy, politics, and society at large.

Commitment to women's progress has also been expressed through the ratification of regional and international treaties. For example, 27 of the 35 members of the Organization of American States (OAS) have ratified or adhered to the Inter-American Convention to Prevent, Punish, and Eradicate Violence against Women and 25 have ratified the American Convention on Human Rights, which prohibits gender-based discrimination.¹ At the 1994 and the 1998 Summits of the Americas, every head of state committed to improving the status of women.

Internationally, as of 1998, 19 LAC countries have ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In addition, all governments in the region have endorsed the plans of action adopted at the International Conference on Human Rights (Vienna, 1993), the International Conference on Population and Development (Cairo, 1994), the Fourth World Conference on Women (Beijing, 1995), and the Summit on Social Development (Copenhagen, 1995).²

Translating these commitments into specific actions that improve women's lives requires an active civil society that demands accountability on the part of elected governments. In turn, this process necessitates mechanisms for monitoring governmental actions and impact. In an effort to further the construction of a reliable, region-wide accountability mechanism, the Inter-American Dialogue ("the Dialogue") launched a project in October 1997 as part of its work with the Women's Leadership Conference of the Americas (WLCA), a network of 100 women leaders from throughout the Western Hemisphere. Founded in 1982, the Dialogue is a U.S.-based center for policy analysis, communication, and exchange on hemispheric affairs.

Objectives

The overarching goal of the project was to promote accountability by Latin American governments regarding regional and international commitments on improving

women's status. It sought to generate information to enable governments, politicians, political parties, nongovernmental organizations (NGOs), and international institu-

tions (including WLCA) to reach conclusions and set priorities for action. Specifically, it aimed to:

- Document the current status of women in Latin America in the

¹ These laws are commonly known as the Belém do Pará Convention and the Pact of San José, respectively.

² Unlike the regional conventions and CEDAW, these global instruments are not binding on states, which cannot be held legally accountable for their failure to fulfill the obligations outlined in the documents.

key issue areas of political participation, legal equality, education, economic opportunities, violence, and health;

► Devise a long-term strategy for monitoring government progress in these areas;

► Disseminate findings as part of WLCA’s communication and advocacy efforts.

Project Design

In designing its project, WLCA examined similar efforts by international, regional, and national networks engaged in monitoring political commitments to women.³ In contrast to most of these initiatives, which focus primarily on the generation of new state policies, the

WLCA project instead sought to explore the consequences of already promulgated policies. The project was based on literature and field research conducted by a consultant working together with Dialogue staff and WLCA members,

in particular the WLCA task force on monitoring. The research was carried out in countries throughout the Americas. In addition to an extensive analysis of data, meetings were held with political leaders, policy experts, researchers, and business executives.

Results

The Baseline Study

Data was gathered on conditions for women and progress made in the six issue areas, as discussed below.

- **Political participation and leadership.** Women currently hold only about 11 percent of cabinet-level posts and about 15 percent of seats in national legislatures throughout the region (IPU 1998, UN 1998), although representation is much higher outside of major cities and in rural areas. Ten Latin American countries have adopted quotas establishing minimum levels of participation by women in national elections, with positive effects.⁴ For example, women’s representation in the Argentine Congress jumped from 5 percent when the law was adopted in 1991 to 28 percent today.
- **Legal equality.** Lawyers and judges in Latin America lack knowledge of gender issues and related laws; for example, lawyers

- do not yet cite international treaties as law upon which judges can base legal decisions. Fortunately, women now represent nearly half of enrolled law students in many countries, while 45 percent of trial judges in the region are women. Further, six countries have established ombudsman offices for women’s rights.⁵ Key concerns remain; for example, rape is considered to be a crime against custom, not an individual person, so that the victim, not the state, must initiate prosecution.
- **Education.** Girls represent approximately half of all primary and secondary school enrollments and university enrollment has increased from 35 percent of students in 1970 to 49 percent in 1995 (UNESCO 1995). At the same time, gender inequalities persist, particularly with regard to literacy. Many girls abandon their education because of poverty and teen pregnancy, and sexual

- discrimination is pervasive in schools.
- **Economic opportunities.** Women now make up one-third of the region’s labor force. However, more women than men are unemployed and average wages are 20-40 percent lower among women. In addition, women tend to be clustered in low-paying, low-status occupations and work largely in the informal sector. They rarely hold positions at the executive level.
 - **Violence.** Surveys show that about half of women in the region have experienced violence at the hands of their spouses or partners. Efforts by women’s organizations and political coalitions have led to the establishment of shelters, counseling centers, and women’s police stations; educational campaigns; and the increased issuance of protective orders. In addition, 12 countries have adopted specific laws on domestic violence.⁶

³ For example, the Women’s Environment and Development Organization analyzes the gender aspects of national development plans, the Center for Reproductive Law and Policy has conducted studies on relevant legislation, and the Nicaraguan government spearheaded a monitoring project on the implementation of commitments made at the 1994 Summit of the Americas. The Grupo Impulsor in Peru has reported on that country’s policies and their consequences with regard to women, while several nongovernmental organizations in Chile are evaluating the extent to which government ministries have incorporated the objectives of the national Equal Opportunities Plan.

⁴ Argentina, Bolivia, Brazil, Costa Rica, Dominican Republic, Ecuador, Mexico, Panama, Paraguay, and Peru.

⁵ Colombia, Costa Rica, El Salvador, Guatemala, Mexico, and Peru.

► **Health.** Overall, this aspect of women's lives has improved. Importantly, women's life expectancy has increased from 54 years in the 1950s to 71 today (FLACSO 1995). Access to pre-natal and obstetric services has increased and maternal mortality rates are down. However, significant problems remain in the area of reproductive and sexual health, in particular high rates of unmet need for contraceptives. Some countries have also experienced rapid increases in rates of breast and cervical cancer, heart disease, and AIDS among women, despite the existence of well-known methods of prevention and treatment.

The Monitoring System

The project calls for the preparation of comprehensive, analytical reports on the status of women, to be completed by national research teams under the direction of a regional secretariat and advisory groups led by members of WLCA.⁷ To this end, the plan seeks to establish and promote an effective, ongoing system to monitor, measure, record, and report actions taken in the six issue areas discussed above.

Numerous indicators have been defined in each area to analyze trends in women's political, social, and economic status and the application of national and international laws. In contrast to original

plans to undertake work in all 34 countries of the region within the first five years, the proposed monitoring effort would start with five to ten countries in order to strengthen the development of appropriate, effective methodology.

A central flaw identified through the project concerned the failure of organizations and programs to gauge the impact of specific actions on the lives of women (e.g., the passage of legislation or the establishment of women's agencies). The quality of government programs, their consequences, or the comparative progress made by countries was rarely analyzed, spurring the Dialogue to make such an approach the central goal of its monitoring system.

The monitoring plan also seeks to facilitate communication and collaboration among existing projects, particularly at the regional level where monitoring efforts are more limited. The Dialogue system would provide a standard analytical and comparative framework for monitoring projects already underway. It could also support the work of WLCA members by providing a solid platform of information from which to demand accountability by their respective governments.

Dissemination of Findings

Prior to the formal release of the project's first report, findings and

methodology were discussed at several international conferences, which in turn attracted the attention of NGOs and the media. The first report was then released in April 1998 to coincide with the Second Summit of the Americas, distributed widely by mail and through the Internet, and transformed into articles for academic publication. In late 1998, WLCA organized a public meeting with the cooperation of the Inter-American Development Bank (IDB) to release and discuss a second report focusing on women's political participation and leadership in Latin America.

Conclusions

Some of the progress noted in the Dialogue/WLCA study is attributable to governmental efforts in reforming laws, creating new mechanisms for the representation of women's interests, and adopting gender-specific public policies, particularly in the areas of health and violence prevention. However, the study found that the commitment of most Latin American governments to improving the status of women is primarily symbolic. Although women's participation has increased and greater effort is being made to create equal opportunities, political institutions too often lack the will and the resources to carry out their mandates.

Recommendations and Lessons Learned

The current configuration of international norms, formal commitments, growing democracies, and an increasingly active civil society (including the women's movement)

provides an opportunity for women to make important gains. In order to take advantage of this unprecedented situation, several recommendations should be considered.

► **Measure status.** Governments would be well served by putting in place a transparent, standardized process to assess women's positions and progress. This will first require

⁶ Argentina, Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Nicaragua, Panama, and Peru.

⁷ This model was adapted from a strategy employed by the Institute for Women's Policy Research in executing their *Status of Women in the States* reports, which document women's progress in the United States.

the development of indicators to facilitate the collection of gender-disaggregated data. Governments should commit to establishing a hemispheric system to measure actual improvements over time and to compare country-by-country results. Without such evidence, governments would more likely fail to implement policies necessary to ensure gender equality.

► **Appoint a commission.** A nongovernmental entity should be established to oversee the monitoring system and its implementation, report results on a regular basis, and propose actions. Such a commission should be established under the auspices of an international institution (e.g., the IDB or the OAS Inter-American Commission on Women) and be provided with the resources necessary to function effectively.

Findings of the commission should be disclosed and made readily available.

► **Highlight information.** Current international agreements are often not implemented because many political leaders and government officials are not aware of the commitments their governments have made to women. Advocates for policy and program reform should be made aware of the latest data and arguments upon which to base their claims, which is one of the purposes of the proposed Dialogue monitoring system.

Lessons were learned that can be useful for planning similar projects in other regions:

► **Think realistically.** Governments often have the best of intentions when they sign international agree-

ments. Transforming these commitments into reality requires considerable financial and human resources, multiple efforts to assess what programs work, and time for implementation to take root. A country's activities may be better judged in terms of incremental progress than immediate change.

► **Set clear goals.** Focused objectives must be the starting point for development of a monitoring system. What the system is designed to accomplish, the level of involvement of monitors, and desired outcomes must be clearly delineated. At stake are not just improvements in statistical rates, but the enhanced well-being and opportunities of women as they face changing, and often difficult, realities.

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